

Serial No. 09/668,042

Attorney Docket No. 035586-2002

REMARKS

This reply is responsive to an Office Action mailed on August 16, 2002. Claims 1-11 were pending in the application and were rejected in the Office Action. By way of this reply, Applicant has amended claim 1. Accordingly, claims 1-11 are submitted for reconsideration by the Examiner.

Claim Rejections - 35 U.S.C. § 112

Claims 1-11 were rejected under 35 U.S.C. § 112, first paragraph, as containing subject matter which was not sufficiently described in the specification. Applicant respectfully traverses these rejections.

Applicant respectfully notes that the originally filed drawings constitute a part of the initial disclosure and may be relied upon to demonstrate applicant's possession of the claimed invention. "An applicant shows possession of the claimed invention by describing the claimed invention with all of its limitations using such descriptive means as ... figures...." M.P.E.P. § 2163. The applicant may show possession "by showing that the invention was 'ready for patenting' such as by the disclosure of drawings...." Id.

Applicant respectfully submits that each limitation cited in the claims is clearly described at least in the drawings originally filed with the application. Applicant has attached herewith Figures 6, 9 and 11 of the pending application with embodiments of the recited elements highlighted. In particular, the "forward latching portion" recited in independent claim 1 is shown in each of Figures 6, 9 and 11 and is noted as reference A in red. Further, claim 1 recites a "rearward latching portion", noted as reference B in red in the attached drawings, and an "intermediate region", noted as reference C in red in the attached drawings. Accordingly, the drawings reasonably convey to one skilled in the relevant art that the Applicant was in possession of the claimed invention, as recited in independent claim 1, at the time of filing.

Similarly, the recitation in claims 6 and 8 of "latching portions having a pair of latching regions and an intermediate region" is also clearly described in the drawings. Further, the embodiments illustrated in Figures 6 and 11 clearly describe that the "forward and rearward

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latching portions are U-shaped,” as recited in claim 11. The U-shaped rearward latching portion is noted as reference D in red in the attached drawings.

Accordingly, the subject matter recited in each of the pending claims is sufficiently described in the specification. The rejections under 35 U.S.C. § 112, first paragraph, should now be withdrawn.

Claims 1-5 and 11 were rejected under 35 U.S.C. § 112, second paragraph, as being indefinite. Applicant has amended claim 1 to more clearly recite the invention. The claims are now, therefore, in definite form.

Claim Rejections - 35 U.S.C. § 102

Claims 1, 3, 4 and 8-11 were rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent No. 6,183,043 B1 to Nelson (hereinafter “Nelson”). Further, claims 1, 3, 8 and 11 were rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 5,228,796 to Kao (hereinafter “Kao”). Applicant respectfully traverses these rejections and submits that the claims, as amended, are patentable.

The Office Action reasserts that the lever 328 of Nelson and the element 12 of Kao each constitute a “rotatable locking element.” As noted in Applicant’s response to the previous reply, Applicant respectfully disagrees and notes that neither the lever 328 of Nelson nor the element 12 of Kao secure the elongate members. They each merely actuate the locking mechanism. Further, the recitation of additional features in independent claim 1, described below, further distinguish the claimed invention from the cited references.

As described in Applicant’s previous reply, the disclosed embodiments of the present invention, as recited in claim 1, comprise “a seat receiving structure having a pair of latching portions.” Also specified is “each of the latching portions having a forward latching portion, a rearward latching portion and an intermediate region therebetween.” Furthermore, there is specified “said forward and rearward latching portions being adapted to support said elongate member from below and to secure said elongate member in at least one horizontal direction.” Thus, even without a “locking element,” a seat frame is stably supported in the “seat receiving structure”, since the “forward and rearward latching portions ... support said elongate member from below”. Thus, total stability is provided in that direction.

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By contrast, both Nelson and Kao fail to provide such stability in the unlocked position. For example, Nelson discloses an embodiment where the rotation of the lever 328 causes the clamp portions 361, 362 and 336, 337 to move closer, thereby clamping the elongate members between two vertical opposed members. In the unlocked position, the elongate members would rest partially on a gap between the clamp portions. Similarly, Kao requires that the elongate members rest on the movable eye screws 31, 32 prior to locking. When the lever 12 is rotated, the elongate members move into the secured position on the retainer plates 6, 6'.

Further, for securing the seat frame, claim 1 recites "a lever-operated rotatable locking element" is "selectively rotatable "between a first position wherein engagement between the rotatable locking element and the elongate members is absent" and "a second position wherein the elongate members are secured on intermediate portions of their upper surfaces ... in said intermediate regions"

In contrast, neither Nelson nor Kao suggest or teach "a rotatable locking element" for securing "elongate members ... secured on intermediate portions of their upper surfaces". Nelson discloses a clamping arrangement wherein a cam lever 328 is used to release or secure an elongated member of a seat between pairs of substantially vertical clamp parts 336, 337 and 361, 362. The Office Action cites element 328 as being "a lever operated rotatable locking element." Regarding the seat frame elements, element 328 does not secure "intermediate portions of their upper surfaces". Further, the arrangement disclosed in Nelson does not have an "intermediate region" between "a forward latching portion" and "a rearward latching portion". Thus, Nelson does not disclose securing "in said intermediate regions."

Similarly, Kao discloses retainer plates 6, 6' with elongated grooves 61, 61' for securing an elongate member. The grooves 61, 61' form a single latching portion lacking an "intermediate region". Further, the Office Action cites the lever 12 as the "rotatable locking element." The lever 12 fails to secure "intermediate portions of their upper surfaces", as recited in claim 1. Further, Kao also does not disclose the "locking element" securing "intermediate regions."

Accordingly, claim 1 is neither anticipated nor obvious over the cited references. Similarly, independent claim 8 recites "a lever-operated rotatable locking element ... secur[ing] elongate seat frame members on at least a portion of an upper surface ... at said intermediate

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regions.” Thus, for the reasons discussed above with reference to claim 1, claim 8 is also patentable over Nelson and Kao.

Accordingly, independent claims 1 and 8 patentably distinguish over the cited art of record, either taken alone or in combination. Claims 3, 4 and 11 depend, either directly or indirectly, from allowable claim 1 and are patentable for at least that reason, as well as for additional patentable features when those claims are considered as a whole. Similarly, claims 9 and 10 depend, either directly or indirectly, from allowable claim 8 and are allowable for at least that reason.

Claim Rejections - 35 U.S.C. § 103

Claim 2 and 6 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Kao in view of U.S. Patent No. 6,213,553 B1 to Fitz (hereinafter “Fitz”). Claim 2 depends directly from allowable claim 1 and is, therefore, patentable for at least that reason as well as for additional patentable features when that claim is considered as a whole. Applicant respectfully traverses the rejection of claim 6 for the following reasons.

As noted in Applicant’s prior reply, the present invention is directed to an arrangement for quickly releasing or connecting a seat. In this regard, the “forward latching portion” and the “rearward latching portion” “support said elongate member from below”, while “said pair of latching surfaces of the rotatable locking element (secure) ... said intermediate regions” to secure the seat in place.

Kao and Fitz are not directed at, and fail to address the problems associated with, a quick release/connection arrangement. Kao is directed merely at a tightening mechanism. Kao requires that the seat be in place prior to full assembly of the arrangement. “During the process of installation, the two retainer plates 6, 6’ are respectively mounted on the eye screws 31,32 and disposed on the outside relative to the U-shaped support 50, permitting the two frame bars 7, 7’ of the bicycle saddle to be respectively retained in the elongated grooves 61, 61’. When set, the two locknuts 4 are respectively screwed onto the eye screws 31, 32 to lock up the retainer plates 6, 6’ in place” Kao, col. 2, line 65 – col. 3, line 4. Thus, in order to remove the seat, the locknuts and the retainer plates must first be removed. Similarly, Fitz only discloses a seat mounting arrangement in Figure 15A, which requires a screw to secure a

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seat frame between two components 108, 111. Further, as noted above, Kao fails to teach or suggest "the elongate members are secured on intermediate portions of their upper surfaces by said pair of latching surfaces of the rotatable locking element in said intermediate regions." Fitz also fails to teach or suggest at least this feature of the present invention.

Thus, the cited references, either individually or in combination, fail to teach or suggest each limitation of claim 6. Accordingly, independent claim 6 is patentable.

Claims 4, 7, 9 and 10 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Kao in view of Fitz and further in view of U.S. Patent No. 4,836,604 to Romano. Claim 4 depends indirectly from allowable claim 1 and is, therefore, patentable for at least that reason as well as for additional patentable features when that claim is considered as a whole. Similarly, claim 7 depends directly from allowable claim 6 and is, therefore, patentable for at least that reason. Claims 9 and 10 depend, either directly or indirectly, from allowable claim 8 and are, therefore, patentable for at least that reason as well as for additional patentable features when those claims are considered as a whole.

Claim 5 was rejected under 35 U.S.C. § 103(a) as being unpatentable over Kao in view of U.S. Patent No. 4,772,069 to Szymiski. Claim 5 depends indirectly from allowable claim 1 and is, therefore, patentable for at least that reason as well as for additional patentable features when that claim is considered as a whole.

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For the reasons stated above, claims 1-11 are in condition for allowance. A Notice of Allowance at an early date is respectfully requested. The Examiner is invited to contact the undersigned if such communication would expedite the prosecution of the application.

Respectfully submitted,

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SHOULD ADDITIONAL FEES BE NECESSARY IN CONNECTION WITH THE FILING OF THIS PAPER, OR IF A PETITION FOR EXTENSION OF TIME IS REQUIRED FOR TIMELY ACCEPTANCE OF SAME, THE COMMISSIONER IS HEREBY AUTHORIZED TO CHARGE DEPOSIT ACCOUNT NO. 50-0872 FOR ANY SUCH FEES; AND APPLICANT(S) HEREBY PETITION FOR ANY NEEDED EXTENSION OF TIME.

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VERSION WITH MARKINGS TO SHOW CHANGES MADE

IN THE CLAIMS:

1. (Three Times Amended) A quick release/connection arrangement for a seat, comprising:
a seat receiving structure having a pair of latching portions, each of said pair being adapted to receive one of a pair of elongate members which form part of a frame of the seat;
each of said pair of latching portions having a forward latching portion, a rearward latching portion and an intermediate region therebetween, said forward and rearward latching portions being adapted to support said elongate member from below and to secure said elongate member in at least one horizontal direction;
a lever-operated rotatable locking element having a pair of latching surfaces rotatably supported on the seat receiving structure and selectively rotatable between a first position wherein engagement between the rotatable locking element and the elongate members is absent and wherein the pair of elongate members are removable from the seat structure receiving member, and a second position wherein the elongate members are secured on intermediate portions of [their] upper surfaces of the elongate members by said pair of latching surfaces of the rotatable locking element in said intermediate regions and locked in position on the seat receiving structure.